

AMENDED IN ASSEMBLY APRIL 16, 1998

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 2498

Introduced by Assembly Member Runner

February 20, 1998

An act to amend Section ~~76219 of the Government Code,~~
~~relating to courthouse construction funding~~ 4252 of the
Family Code, relating to child support proceedings.

LEGISLATIVE COUNSEL'S DIGEST

AB 2498, as amended, Runner. ~~Robbins—Courthouse~~
~~Construction Fund—Child support commissioners.~~

Existing law requires all applications filed by the district attorney or by another party, as provided, for an order to establish, modify, or enforce child or spousal support, including actions to establish paternity, to be referred for hearing to a child support commissioner and for each superior court to provide sufficient child support commissioners to hear these cases.

This bill would require the Judicial Council to conduct an evaluation of the child support commissioner system and to report the results of its evaluation and recommendations to the Legislature by February 1, 2000. The bill would require the Judicial Council to convene a workgroup, as specified, that would advise the Judicial Council in establishing criteria to evaluate the success and failures of the child support commissioner system and how to establish successful outcomes for that system.

~~Existing law specifies a framework for the expenditure of moneys from the Robbins Courthouse Construction Fund or borrowed against the fund for courtroom construction in Los Angeles County, and requires that construction be within specified statistical areas, judicial districts, and communities, before further construction may begin.~~

~~This bill would revise that framework to assign a higher priority to the construction or expansion of facilities in the Southeast Municipal District and the Antelope Valley Judicial District, as specified.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 76219 of the Government Code~~

2 *SECTION 1. Section 4252 of the Family Code is*
3 *amended to read:*

4 4252. (a) One or more child support commissioners
5 shall be appointed by the superior court to perform the
6 duties specified in Section 4251. The child support
7 commissioners first priority always shall be to hear Title
8 IV-D child support cases. The child support
9 commissioners shall specialize in hearing child support
10 cases, and their primary responsibility shall be to hear
11 Title IV-D child support cases. Child support
12 commissioner positions shall not be subject to the
13 limitation on other commissioner positions imposed upon
14 the counties by Article 13 (commencing with Section
15 70140) of Chapter 5 of Title 8 of the Government Code.
16 The number of child support commissioner positions
17 allotted to each superior court shall be determined by the
18 Judicial Council in accordance with caseload standards
19 developed pursuant to paragraph (3) of subdivision (b),
20 subject to appropriations in the annual Budget Act.

21 (b) The Judicial Council shall do all of the following:

22 (1) Establish minimum qualifications for child support
23 commissioners.

24 (2) Establish minimum educational and training
25 requirements for child support commissioners and other

1 court personnel that are assigned to Title IV-D child
2 support cases. Training programs shall include both
3 federal and state laws concerning child support, and
4 related issues.

5 (3) Establish caseload, case processing, and staffing
6 standards for child support commissioners on or before
7 April 1, 1997, which shall set forth the maximum number
8 of cases that each child support commissioner can
9 process. These standards shall be reviewed and, if
10 appropriate, revised by the Judicial Council every two
11 years.

12 (4) Adopt uniform rules of court and forms for use in
13 Title IV-D child support cases.

14 (5) Offer technical assistance to counties regarding
15 issues relating to implementation and operation of the
16 child support commissioner system, including assistance
17 related to funding, staffing, and the sharing of resources
18 between counties.

19 (6) Establish procedures for the distribution of
20 funding to the courts for child support commissioners,
21 family law facilitators pursuant to Division 14
22 (commencing with Section 10000) and related allowable
23 costs.

24 (7) Adopt rules that define the exceptional
25 circumstances in which judges may hear Title IV-D child
26 support matters as provided in subdivision (a) of Section
27 4251.

28 (8) *Convene a work group, including representatives*
29 *of the State Department of Social Services, county district*
30 *attorneys, child support commissioners, child support*
31 *advocates, family law facilitators, attorneys engaging in*
32 *the private practice of family law, custodial and*
33 *noncustodial parents' organizations, and staff of the*
34 *Assembly and Senate Judiciary Committees, to advise the*
35 *Judicial Council in establishing criteria to evaluate the*
36 *success and identify any failures of the child support*
37 *commissioner system. The workgroup shall also provide*
38 *advice on how to establish successful outcomes for the*
39 *child support commissioner system created pursuant to*
40 *this article. The Judicial Council shall conduct an*

1 *evaluation and report the results of the evaluation and its*
2 *recommendations to the Legislature no later than*
3 *February 1, 2000. At a minimum, the evaluation shall*
4 *examine the ability of the child support commissioner*
5 *system to achieve the goals set forth in Section 4250.*

6 (9) Undertake other actions as appropriate to ensure
7 the successful implementation and operation of child
8 support commissioners in the counties.

9 ~~is amended to read:~~

10 ~~76219. (a) The Courthouse Construction Fund~~
11 ~~established in Los Angeles County pursuant to Section~~
12 ~~76100 shall be known as the Robbins Courthouse~~
13 ~~Construction Fund.~~

14 ~~(b) All courtroom construction in the County of Los~~
15 ~~Angeles that utilizes moneys from the Robbins~~
16 ~~Courthouse Construction Fund or moneys borrowed and~~
17 ~~owed against the Robbins Courthouse Construction Fund~~
18 ~~shall be within the boundaries of the San Fernando Valley~~
19 ~~Statistical Area and the Los Cerritos Municipal Court~~
20 ~~District, until the time that the County of Los Angeles has~~
21 ~~spent a total of at least forty-three million dollars~~
22 ~~(\$43,000,000) on courthouse construction within the San~~
23 ~~Fernando Valley Statistical Area and at least eight million~~
24 ~~dollars (\$8,000,000) within the Los Cerritos Municipal~~
25 ~~Court District for the Bellflower Courthouse.~~

26 ~~(c) All courtroom construction in the County of Los~~
27 ~~Angeles that utilizes moneys from the Robbins~~
28 ~~Courthouse Construction Fund or moneys borrowed~~
29 ~~against the Robbins Courthouse Construction Fund shall~~
30 ~~be within the boundaries of the San Fernando Valley~~
31 ~~Statistical Area, within the boundaries of the Los Cerritos~~
32 ~~Municipal Court District, within the boundaries of the~~
33 ~~East Los Angeles Municipal Court District, within the~~
34 ~~Downey Municipal Court District, within the community~~
35 ~~of Hollywood, within the West Los Angeles Branch of the~~
36 ~~Los Angeles Municipal Court District, within the~~
37 ~~Southeast Municipal Court District, or within the~~
38 ~~Antelope Valley Judicial District, until the time that the~~
39 ~~County of Los Angeles has fulfilled the requirements of~~
40 ~~subdivision (b) and has additionally spent at least sixteen~~

1 million five hundred thousand dollars (\$16,500,000) on
2 courthouse construction within the East Los Angeles
3 Municipal Court District, has spent at least ten million
4 dollars (\$10,000,000) on courthouse construction within
5 the Downey Municipal Court District, has commenced
6 construction on a courthouse with at least six courtrooms
7 in the West San Fernando Valley, has commenced
8 construction on a courthouse with at least two courtrooms
9 in the community of Hollywood, has commenced
10 construction on a courthouse for the West Los Angeles
11 Branch of the Los Angeles Municipal Court District, has
12 commenced construction of new facilities or the
13 expansion of existing facilities for the north and south
14 branches of the Southeast Municipal Court District, and
15 has commenced construction of new facilities for the
16 municipal and superior courts in the Antelope Valley
17 Judicial District.

18 (d) All courtroom construction in the County of Los
19 Angeles which utilizes moneys from the Robbins
20 Courthouse Construction Fund or moneys borrowed
21 against the Robbins Courthouse Construction Fund shall
22 be within the boundaries of the San Fernando Valley
23 Statistical Area, within the boundaries of the Los Cerritos
24 Municipal Court District, within the boundaries of the
25 East Los Angeles Municipal Court District, within the
26 Downey Municipal Court District, within the community
27 of Hollywood, within the West Los Angeles Branch of the
28 Los Angeles Municipal Court District, within the
29 Pasadena Judicial District, within the Southeast
30 Municipal Court District, within the South Bay Judicial
31 District, within the Santa Monica Judicial District, within
32 the Antelope Valley Judicial District, or within the Long
33 Beach Judicial District until the time that the County of
34 Los Angeles has fulfilled the requirements of subdivisions
35 (b) and (c), and has commenced construction of new
36 facilities or the expansion of existing facilities for the
37 municipal courts in the Pasadena Judicial District and the
38 South Bay Judicial District, has commenced construction
39 on a courthouse for the superior court with at least 18
40 courtrooms in the North Hollywood Redevelopment

~~Project Area of the City of Los Angeles or immediately adjacent thereto, and has commenced construction of new facilities for the superior and municipal courts in the Santa Monica Judicial District and the Long Beach Judicial District.~~

~~(e) For purposes of this section, the San Fernando Valley Statistical Area includes all land within the San Fernando Valley Statistical Area (as defined in subdivision (e) of Section 11093) as well as the City of San Fernando, the City of Hidden Hills, and the unincorporated areas of Los Angeles County located west of the City of Los Angeles, east and south of the Ventura County line, and north of a line extended westerly from the southern boundary of the San Fernando Valley Statistical Area (as defined in subdivision (e) of Section 11093).~~

~~(f) The moneys of the Robbins Courthouse Construction Fund together with any interest earned thereon shall be payable only for courtroom construction and land acquisition as authorized in subdivision (b) and, after the requirement of subdivision (b) has been met, shall be payable only for courtroom construction and land acquisition as authorized in subdivision (c) and, after the requirements of subdivisions (b) and (c) have been met, shall be payable only for courtroom construction and land acquisition as authorized in subdivision (d).~~

~~(g) Deposits to the fund shall continue through and including either (1) the 25th year after the initial calendar year in which the surcharge is collected or (2) whatever period of time is necessary to repay any borrowings made by the county to pay for construction provided for in this section, whichever time is longer.~~

~~(h) The resolution adopted by the Board of Supervisors of the County of Los Angeles on September 2, 1980, stating that the provisions of Chapter 578 of the Statutes of 1980 are necessary to the establishment of adequate courtroom facilities in the County of Los Angeles shall be deemed a resolution stating that the provisions of this section are necessary to the establishment of adequate courtroom facilities in the~~

1 ~~county, and shall satisfy the requirements of this section.~~
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